

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

DAVID HORTON, SR.

PLAINTIFF

V.

CIVIL ACTION NO. 3:14CV34 DPJ-FKB

ENTERGY MISSISSIPPI, INC., ET AL.

DEFENDANTS

ORDER

This case is before the Court on motion [19] of Defendant Danny Waldrop to dismiss Plaintiff's claims against him for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6).¹ On May 29, 2014, Plaintiff advised the Court by electronic mail that he does not intend to oppose the motion.

Accordingly, the Court finds the motion to dismiss [19] should be granted. Plaintiff's claims against Waldrop are dismissed.

SO ORDERED AND ADJUDGED this the 29th day of May, 2014.

s/ Daniel P. Jordan III
UNITED STATES DISTRICT JUDGE

¹ The only remaining claims in this action are Plaintiff's Title VII discrimination claims against Waldrop and Entergy Mississippi, Inc. The Fifth Circuit has consistently held that individuals are not liable under Title VII. *Ackel v. Nat'l Commc'ns, Inc.*, 339 F.3d 376, 381 n.1 (5th Cir. 2003).